

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-118085-001 DT

06/14/2011

HONORABLE JOSEPH C. WELTY

CLERK OF THE COURT  
K. Johnson/D. McGraw  
Deputy

STATE OF ARIZONA

THOMAS MCDERMOTT  
AARON HARDER

v.

MICHAEL JOHN JAKSCHT (001)

ROBYN GREENBERG VARCOE  
JENNIFER L WILLMOTT

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY  
DAY 6

Prior to commencement of today's proceeding, State's exhibits 428 through 431 are marked for identification.

State's Attorney:	Thomas McDermott and Aaron Harder
Defendant's Attorney:	Robyn Varcoe and Jennifer Willmott
Defendant:	Present
Court Reporter:	Debbie Croci

10:48 a.m. Trial to a jury continues from June 13, 2011. The jury is not present.

LET THE RECORD REFLECT that the State's case agent, Jeffery Schuh, is present and seated behind State's counsel's table.

The Court having reviewed State's Exhibit 427, and for the reasons set forth on the record,

IT IS ORDERED precluding the State from presenting clips 4 and 5 in Exhibit 427.

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The State advises the Court that it will prepare a new disc containing only the clips permitted by the Court.

Discussion is held regarding procedural issues relating to certain photographs and the parties' stipulation regarding the date of Defendant's arrest.

Both sides announce ready.

10:53 a.m. The jury is present.

The State's case continues:

Officer Brandon Epperson is sworn and testifies.

The witness is excused.

Officer Ricky Newberry is sworn and testifies.

The witness makes an in-court identification of the Defendant.

11:58 a.m. The jury is reminded of previous admonitions and is excused from the courtroom. The court stands at recess.

State's exhibit 432 is marked for identification.

1:31 p.m. Court reconvenes with the Defendant and respective counsel present. The jury is not present.

Court Reporter, Debbie Croci, is present.

The State's case agent, Jeffery Schuh, is present and seated behind State's counsel's table.

Both sides announce ready.

1:34 p.m. The jury is present.

Officer Rick Newberry resumes the stand and testifies further.

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The Court receives questions from the jury; same are discussed between the Court and counsel and asked of the witness.

FILED: Jury Question forms (18, 19, 20, 21, and 22)

The witness is excused.

Officer Virgil Toland is sworn and testifies.

2:48 p.m. The jury is reminded of previous admonitions and is excused from the courtroom. The court stands at recess.

3:08 p.m. Court reconvenes with the Defendant and respective counsel present. The jury is not present.

Court Reporter, Debbi Croci, is present.

The State's case agent, Jeffery Schuh, is present and seated behind State's counsel's table.

Discussion is held regarding procedural and legal issues relating to exhibits.

Both sides announce ready.

3:11 p.m. The jury is present.

Officer Virgil Toland resumes the stand and testifies further.

The witness makes an in-court identification of the Defendant.

Upon motion of the State, Defendant's exhibits 413 through 415 are received in evidence.

Upon motion of the State, Defendant's exhibit 412 is received in evidence.

4:28 p.m. The jury is reminded of previous admonitions and is excused from the courtroom until 11:00 a.m. on June 15, 2011. Court remains in session.

Discussion is held regarding witness scheduling.

4:31 p.m. The court stands at recess until **June 15, 2011, at 11:00 a.m.**

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This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>.  
Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.